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In re Application of	:	
GUPTA, Ajay	:	
Application No.: 10/560,150	:	
PCT No.: PCT/US03/04941	:	NOTIFICATION
Int. Filing Date: 18 February 2003	:	
Priority Date: 26 July 2002	:	OF
Attorney Docket No.: 60274-098	:	
For: SORPTION CONCENTRATOR WITH	:	ABANDONMENT
ELECTRICALLY HEATED	:	
DESORPTION REGENERATION	:	

This is a decision on applicant's "Renewed Petition Under 37 CFR 1.47(b)," filed in the United States Patent and Trademark Office (USPTO) on 13 August 2007. It is a response to Notification of Defective Response (Form PCT/DO/EO/916) mailed 12 July 2007.

BACKGROUND

On 12 July 2007, the Office mailed Notification of Defective Response (Form PCT/DO/EO/916) indicating that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) was required.

On 13 August 2007, applicant resubmitted the 12 January 2007 declaration of the inventor with an altered first page identifying a different international application.

DISCUSSION

MPEP §602.01 states:

The wording of an oath or declaration cannot be amended, altered or changed in any manner after it has been signed. If the wording is not correct or if all of the required affirmations have not been made, or if it has not been properly subscribed to, a new oath or declaration must be required.

Under 37 CFR 1.52(c)(1) any alterations to the application must be made prior to the execution of the oath or declaration. "[I]t is emphasized that the application filed must be the application executed by the applicant and it is improper for anyone, including counsel, to alter, rewrite, or partly fill in any part of the application, including the oath or declaration, after execution of the oath or declaration by the applicant." MPEP §605.04(a).

Applicant may wish to consider filing a petition to revive under 37 CFR 1.137.

CONCLUSION

For the above reasons, applicant's petition under 37 CFR 1.47(b) is **DISMISSED**, without prejudice.

If reconsideration on the merits is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Failure to timely file the proper response may be construed as intentional delay. Extensions of time under 37 CFR 1.136(a) are available.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web or if mailed should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Erin P. Thomson/

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